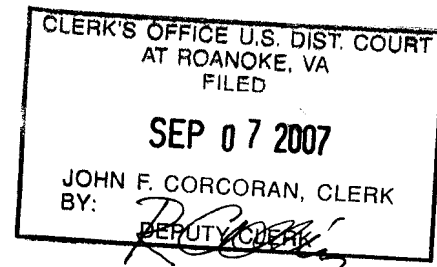


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



TROY MARTIN,)	
Petitioner,)	Civil Action No. 7:07CV00183
)	
v.)	<u>FINAL ORDER</u>
)	
TERRY O'BRIEN,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

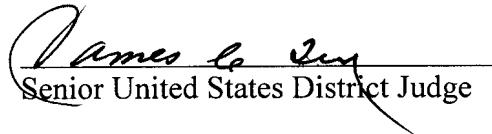
In accordance with the accompanying Memorandum Opinion, it is now

ADJUDGED AND ORDERED

that the Motion to Dismiss is hereby **GRANTED**, pursuant to Federal Rule of Civil Procedure 12(b)(1); the Petition for Writ of Habeas Corpus filed by Petitioner shall be and hereby is **DISMISSED** without prejudice, and this action is hereby **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to Petitioner and to counsel of record for Respondent.

ENTER: This 7th day of September, 2007.


Senior United States District Judge